

2004 Open Doors to Federal Courts

The Role of Courts in Balancing Liberty and Safety

Lesson Plan

Michigan Department of Police v. Sitz
496 U.S. 444

Sitz v. Michigan Department of Police
193 Mich. App 690

Introduction

This exercise provides an actual case that demonstrates the courts' role in balancing liberty and safety. It also serves as a basis for noting the types of cases that state and federal courts handle, as well as the differences, similarities, and interactions between the two systems. *Michigan v. Sitz* shows, among other things, how a case involving a state legal issue can make its way into the federal court system. In addition, it demonstrates that while the U.S. Supreme Court is the final arbiter of the U.S. Constitution, state supreme courts are the final arbiters of their respective state constitutions. As the facts of the case are presented, the following points should be noted:

Key Concepts

1. Sobriety checkpoints are a tool used by law enforcement agencies to address DUI (driving under the influence) and DWI (driving while intoxicated).
2. Both DUI and DWI are state crimes which are tried in and punished by state courts.
3. The Fourth Amendment to the United States Constitution prohibits "unreasonable searches and seizures."
4. Through judicial interpretation of the 14th Amendment to the U.S. Constitution, most of the provisions of the Bill of Rights have become incorporated (or made applicable) to the states.
5. The state courts can interpret the U.S. Constitution subject to final review by the U.S. Supreme Court.
6. Federal courts cannot interpret state constitutions or state law.
7. This case went before both the U.S. Supreme Court and the Michigan Supreme Court.
8. Federal constitutional law provides a minimum, or floor, for individual rights that state courts may not go below. It does not provide a maximum, or ceiling, which state courts may not go above.

Facts of the Case

Michigan Department of Police v. Sitz

Two separate cases are involved in this case study. However, both have the same parties, issues, and set of facts. The first case is *Michigan Department of Police v. Sitz*. This case was a civil (not criminal) class action suit. It arose when the Michigan Department of Police began using random sobriety checkpoints on state roads in an attempt to crack down on drinking and driving. Litigation was initiated by a group of licensed drivers. The drivers alleged that such checkpoints violated the Fourth Amendment's prohibition against "unreasonable searches and seizures." The named party in the class action suit was Rick Sitz in the State of Michigan who sought to stop the use of sobriety checkpoints by the state police on state roads. The trial court ruled in favor of the drivers. The Michigan Court of Appeals affirmed the trial court's decision.

The Michigan Department of Police then appealed to the Michigan Supreme Court. When the Michigan Supreme Court refused to hear the case, the police petitioned the U.S. Supreme Court for a writ of certiorari to review the Michigan Court of Appeal's interpretation of the Fourth Amendment. The U.S. Supreme Court granted the police department's request and agreed to hear the case. Since the U.S. Supreme Court acknowledged that the sobriety checkpoints did constitute a "seizure" within the meaning of the Fourth Amendment, the only question for the Court to resolve was whether or not the "seizure" was "unreasonable."

Writing for the majority, Chief Justice Rehnquist stated that "...the State's interests in preventing drunken driving, the extent to which this system can reasonably be said to advance that interest, and the degree of intrusion upon the individual motorists who are briefly stopped, weighs in favor of the state program." The Supreme Court concluded that the Michigan Court of Appeals erred in saying that the sobriety checkpoints violated the Fourth Amendment. The U.S. Supreme Court reversed the decision of the lower court and remanded (sent back) the case to the Michigan Court of Appeals with instructions to act in a manner consistent with the U.S. Supreme Court's opinion.

Sitz v. Michigan Department of Police

After losing in the federal courts, the licensed drivers of Michigan continued to pursue their suit in the Michigan state court system. This time, they alleged that the sobriety checkpoints violated Article I, Section 11 of the Michigan Constitution which also prohibited "unreasonable searches and seizures." On remand from the U.S. Supreme Court, the Michigan Court of Appeals recognized that while the checkpoints did not violate the Fourth Amendment to the U.S. Constitution, it agreed with the drivers and held that the checkpoints did violate Michigan's Constitution.

When the case came before it, the Michigan Supreme Court affirmed the Michigan Court of Appeals decision saying that the

“...Constitutional liberties include the right to travel, and automobiles generally may not be searched absent probable cause. In this case, the state police erected sobriety checkpoints along state highways, at which all vehicles were required to stop. While stopped, the drivers were briefly inspected by officers for signs of intoxication, and permitted to resume their travels if no signs were detected. This warrantless, suspicionless stop of vehicles for the purposes of criminal investigation violated the Michigan Constitution.”

Furthermore, the Court tried to reconcile its decision with the United States Supreme Court in this case by stating that federal constitutional law provides a floor in state court litigation and while “...state judges must not adopt state constitutional rules which fall below this floor; courts may, however, appeal to the relevant state constitution to establish a higher ‘ceiling’ of rights for individuals.” In other words, the Michigan Supreme Court found that the Michigan Constitution provided a higher “ceiling” for individual rights than the U.S. Constitution did.

Questions for Discussion

The following are examples of some questions that may be asked to determine if the students understand the case study. The judges are encouraged, to add more.

- **Describe the structure of the Michigan court system as it appeared in this case. How much does it represent a typical state court system?**

The Michigan Court system has a trial level court, an intermediate appellate court called the Michigan Court of Appeals, and the state’s highest court, called the Michigan Supreme Court. The Michigan Supreme Court has discretionary review, which means that it decides which cases to hear. This state court system is similar to many throughout the country. No courts of limited jurisdiction were mentioned in this case.
- **Why was the U.S. Supreme Court able to hear this case?**

The drivers who brought this case alleged that it violated their Fourth Amendment right against “unreasonable searches and seizures.” The Fourteenth Amendment to the U.S. Constitution incorporated (applies) the Fourth Amendment’s protections to the states. Since the state court interpreted the Fourth Amendment of the federal constitution, it subjected itself to review by the U.S. Supreme Court.

- **How could the same issue be raised again in a state court if the U.S. Supreme Court had already ruled on it? In saying that the sobriety checkpoints violated the Michigan Constitution, did the Michigan Supreme Court overrule the U.S. Supreme Court? Can this be done?**

Although the facts of the case had not changed, the legal arguments did/the parties took a different approach to the legal arguments. When the case came before the U.S. Supreme Court, the drivers argued that the sobriety checkpoints violated the Fourth Amendment to the U.S. Constitution. When the Court said there was no constitutional violation, the drivers challenged the action in state court. This time, they alleged violation of Michigan's Constitution which also prohibited "unreasonable search and seizures."

The Michigan Supreme Court ultimately concluded that the sobriety checkpoints did violate the Michigan Constitution. Since the Michigan Supreme Court was solely interpreting the state's constitution, it did not overrule the U.S. Supreme Court. When the Supreme Court of the United States has spoken on an issue of federal constitutional law, statute, treaty, etc., a state court cannot overrule it. In fact, if the U.S. Supreme Court has spoken on a constitutional issue, only a constitutional amendment or subsequent decisions of the Court can change it. If it has spoken on a statute, an act of Congress may be sufficient to change it.

- **What does this case say about the American judicial system?**

This case is an example of how the federal and state court systems interact with each other. Both the federal constitution and the state constitution of Michigan came into play. The case showed how the federal courts are the final arbiters of federal law; the U.S. Supreme Court being the ultimate arbiter. However, it also showed how the state courts have significant powers when dealing with matters reserved to them, i.e., state constitutional law. The case shows that federal courts often provide a floor for citizens rights which state courts may not go below. It also shows how state courts can, and do, raise the ceiling for some of these rights.